

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**DAVID E. MILLER,**

**Plaintiff,**

**VS.**

**STATE OF NEBRASKA  
DEPARTMENT OF ECONOMIC  
DEVELOPMENT, et al.,**

## Defendants.

**4:09CV3098**

## ORDER

This matter is before the court on the defendants' Motion (Doc. 24) to file an amended answer. Response time has passed, and the court has not received a response in opposition to the motion. Upon review of the proposed amended answer, the court finds that defendants' motion should be granted. Pursuant to Fed. R. Civ. P. 15(a) and NECivR 15.1,

**IT IS ORDERED:**

1. Defendants' Motion to Amend Answer (Doc. 24) is granted. Defendants are given until and including September 15, 2009 to file and serve the amended answer.
2. Any reply to the Amended Answer shall be filed and served within the time allowed by Fed. R. Civ. P. 15(a).

**DATED September 8, 2009.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**